UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI SOUTHEASTERN DIVISION

GEORGE ALDRIDGE,)	
Plaintiff,))	
v.) No. 1:19-cv-75	-JAR
DDIAN HOSVINI et el)	
BRIAN HOSKIN, et al.,)	
Defendants.	ý	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to remand this case to state court.

The motion will be denied.

On May 20, 2019, plaintiff filed a motion to remand this case to state court. On August 2, 2019, the Court denied the motion. On August 9, 2019 plaintiff filed a motion for reconsideration of the decision to deny his motion to remand. On November 4, 2019, the Court denied that motion. On November 13, 2019, plaintiff filed a notice of interlocutory appeal, seeking to challenge the Court's August 2, 2019 decision to deny his motion to remand. At present, that appeal remains pending in the United States Court of Appeals for the Eighth Circuit.

In the instant motion, plaintiff again asks this Court to remand his case to state court. However, once appealed, issues before an appellate court should not be altered or undermined. Liddell v. Bd. of Educ., 73 F.3d 819, 822 (8th Cir. 1996). Granting the instant motion would do just that. Additionally, the general rule is that "[t]he filing of a notice of appeal. . . confers jurisdiction on the court of appeals and divests the district court o[f] its control over those aspects of the case involved in the appeal." Id. (quoting Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982). The instant motion will therefore be denied. Plaintiff is instructed to direct to the Court of Appeals all future filings concerning the interlocutory appeal.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to remand to state court (ECF No.

34) is **DENIED.**

OHNA. ROSS

UNITED STATES DISTRICT JUDGE